

# Northern Area Planning Committee

## Written Submissions

24 August 2021

### Item 5a - P/OUT/2020/00472 - Land North of Common Mead Lane, Gillingham

#### Cllr Graham Poulter, Gillingham Neighbourhood Plan – Against the application

I make this submission and objection from the perspective of the Gillingham Neighbourhood Plan published in July 2018.

The Case Officer's report has quite correctly brought to the Committee's attention the provisions of Policies 17, 19 and 22 of the Neighbourhood Plan. This application could not be more clearly in breach of those policies. Those policies represent the wishes, desires and aspirations of the community of Gillingham. The number of objections to this application, without doubt, reinforces and illustrates those wishes, desires and aspirations.

The NPPF identifies three overarching objectives of the planning system, an economic objective, a social objective and an environmental objective.

The **economic benefit** identified by the case officer is a transient benefit. How will this development support growth, innovation or improved productivity? It will not.

**The social objective**. Since the making of the Neighbourhood Plan there have been applications for over 2,000 dwellings with provision for a further 200 at Station Road. There is the prospect of further windfall applications. Gillingham's housing needs are already catered for. A sufficient number and range of homes are already provided for. The removal of this land from the identified area in the Neighbourhood Plan for outdoor sport provision/allotment clearly does not support the Communities health, social or cultural wellbeing.

**The environmental objective**. The plans refer to the 'Northern field' which is to be retained. What guarantee is there that this will be the long term case? Will this field be the subject of future applications? There is the possibility that any net biodiversity gain would be short lived.

The provision of s106 monies cannot be considered in all cases to be an appropriate form of compensation for failing to provide for example outdoor

sports provision or allotments. Land has to be made available for such matters, not developed. If there is no land available in suitable and appropriate areas then the s106 monies cannot be used to provide these facilities.

There has been reference to the `emerging Dorset Local Plan`. With all due respect, this DRAFT PLAN is in such an early stage of its infancy that it should be totally disregarded. There has been much criticism of it and in particular to that part of it which identified this site for potential development. There is absolutely no guarantee that this particular provision will remain.

The SHLAA referred to is not, of course, binding and has identified the site as developable subject to policy change, which it has not. The SHLAA should therefore be ignored.

For the reasons mentioned the application does not meet the sustainable objectives set out in the NPPF and therefore the application should be rejected.

### **Mr M Cridge – Against the application**

Sect 29.5.6.

What is meant by “In order to fulfil a shorter term need”?, what happens to the dwellings at the end of this “short term”?, the residents of The Mellows care home and the residents of Freame Way who overlook the proposed site would not agree that the site would have “minimal adverse impact on the surrounding landscape” or the many people who use this green space.

Sect 29.5.6

Contd. In the plan the number of dwellings “could number around 70 dwellings”, in the letter dated 20:07:21 the number has increased to 80 why the difference?

Sect 29.5.7

On the matter of vehicular access from Common Mead lane the owners of The Mellows care home (BUPA) have instructed their legal representative in a letter dated 3:02:21 marked fao Jackie Witt states they (BUPA) would not permit vehicular access across land they own to the East of the care home.

Sect 29.5.8

There is no provision in the sites design to incorporate two existing rights of way crossing the site, the development would take away access to popular existing green spaces.

### Gill 3 Land at Common Mead Lane

#### Sect ii

Should the proposed access from Common Mead Lane not be permitted (ref 29.5.7) and there is no proposed alternative access then this application should be denied on those grounds.

#### Sect iv

No formal public open space and play facilities are indicated on the site plan.

#### Sect v

No indication that either allotments or sports pitches are indicated on the site plan.

I understand that there are 130 responses to the application, 128 against, 2 for, an indication of the feelings about this application, why weren't all of the responders sent letters informing them of this meeting? I was only made aware of the initial meeting and format when a friend showed me their letter and subsequently only found out about the change of format when I contacted George Dare, had these instances not happened I would not have been aware of the opportunity to air my views, how many letters were actually sent?.

### **Gillingham Town Council - Cllr von Clemens and Cllr Cullingford**

Gillingham Town Council recommends refusal of the application for the following reasons:

- The site is served by a sub-standard rural lane. A section of the lane is of single carriageway width with no footways or usable highway verges and pedestrians share the carriageway with all vehicles. The character and nature of Common Mead Lane presents conditions that are totally unsuitable to cater for the likely increase in vehicular and pedestrian traffic generated by the new development and will adversely impact upon the safety of all existing highway users; therefore, the application is considered to be unsustainable and contrary to the guidance set out in the NPPF, Local Policy and the guidance provided by the Department for Transport publication "Inclusive

## Mobility": A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure.

- There is only one bus service a week from the nearest bus stop and this does not go to the town centre. The reliance on private vehicles is not a sustainable option and contrary to the NPPF.
- The site is outside the settlement boundary, in open 'countryside' where development should be strictly controlled.
- The development does not provide a sensitive transition between the urban and rural environment and will have a detrimental effect on the natural landscape area.
- The proposed development does not offer any biodiversity gains, nor does it protect, or enhance the natural environment.
- Development of this area will be harmful to the setting of one of the most historically important areas in Gillingham, Queen's Farm which is associated with the Gillingham Royal Forest.
- The development does not provide adequate new green infrastructure to improve the quality of life for the residents. It is suggested that formal outdoor sports and informal outdoor space can be provided for through s106 funding; however, how can this be achieved when the land set aside in the neighbourhood plan for sports provision is proposed for development? There are no areas of land in Gillingham on which to provide such vital infrastructure.
- Many of the young people in Gillingham are being denied an opportunity to play football, this is unacceptable in a town of our size and is contrary to the NPPF which supports healthy lifestyles through the provision of accessible green infrastructure and sports facilities for all ages.
- The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The proposed development does not meet the three objectives of the NPPF and the harm caused by the application significantly outweighs the benefits.

**Nicole Stacey, PCL Planning - Agent**

Good morning Chair and Members

I am writing on behalf of the applicants and wish to endorse your officer's recommendation for approval of this outline application.

The site is situated to the north of Common Mead Lane, on the south-western edge of Gillingham. Gillingham is recognised in the adopted North Dorset Local Plan as one of the four main towns that are considered the most sustainable locations for housing, and the site has been identified by the Council as an allocation for residential development in the emerging Dorset Local Plan.

The site is within close proximity to a range of services and facilities and is not subject to any landscape, heritage or other designations.

The application has been submitted in outline. The layout, scale, appearance and landscaping of the site are matters reserved for future consideration.

The applicants have worked positively and proactively with officers and relevant consultees both prior to and during the course of the application, to address queries raised and achieve a scheme which is supported by your officers.

The proposal will provide a range of high-quality homes including a policy compliant level of affordable housing (25%) to meet identified local needs and assist in meeting the Council's housing land supply.

The scheme will deliver a range of economic, environmental and social benefits through the creation and support of local jobs, biodiversity enhancements and provision of areas of open space and play. A range of financial contributions would be provided to be spent on enhanced community infrastructure within the town, including healthcare, education, libraries, sports provision and local bus services.

No adverse impacts have been identified which would outweigh the substantial benefits of the scheme.

We therefore hope that you support your officer's recommendation and approve this outline application.

**Item 5b - P/OUT/2020/00495 - Land to The South East of Lodden Lakes New Road, Gillingham**

**Simon Fife, Savills Planning - Agent**

Good morning Chairman, Councillors, ladies and gentlemen.

Thank you for allowing Savills as agent to provide a written statement on this planning application on behalf of Taylor Wimpey, the Applicant.

The outline planning application is for up to 115 dwellings with access from New Road and Lodden Lakes phase 1, which is being developed by the Applicant. It establishes the broad parameters of development and details of the access arrangements. The application is before you today with a recommendation of approval from the Council's Planning Officer.

The Council has a confirmed shortfall in housing land supply and the benefits of delivering this allocated site are therefore significant. The proposals would also deliver a number of major benefits for the local community, including:

1. 115 new homes to meet local needs.
2. 25% affordable housing, of which 70% affordable rent.
3. Benefits to the local economy, including new jobs and expenditure in the town centre.
4. Financial Contributions towards education, community, healthcare and waste recycling facilities.
5. Financial Contributions towards public and active transport facilities and services, and highway infrastructure.
6. Public open space and sustainable drainage.
7. Habitat creation and landscaping in the Lodden valley.

Pre-application consultation revealed a significant level of support for the Masterplan, including open space and landscaping proposals. This was echoed by strong support from the Town Council.

Following submission of the application, no objections were raised by local residents or the Town Council – one letter of support was submitted. Taylor Wimpey also engaged with the Gillingham & District Angling Association, which resolved matters raised by the Association.

Further technical work with regard to surface water drainage, archaeology and access ensured that the statutory consultees confirmed no objections to the proposals. Savills also provided confirmation that the outline proposals are entirely consistent with planning policy, and the broad spatial and urban design requirements of the Master Plan Framework (MPF). Detailed matters raised by the Council's Landscape Officer will be addressed at the Reserved Matters stage.

Savills has confirmed to the planning officer that the draft planning conditions are appropriate and the Heads of Terms for the s106 agreement have been

agreed. The grant of planning permission would cement Taylor Wimpey's commitment to the early delivery of phase 2, aligned with the Council's commitment to delivering the Principal Street.

This is an exciting opportunity to deliver much needed new homes in Gillingham in a sustainable manner – we therefore hope you can support your officer's recommendation and resolve to grant planning permission.

**Item 5c - 2/2019/1529/FUL- Bourton Mill Factory Hill Bourton SP8 5AX,**

### **Mr & Mrs Hallett - objection**

All points raised are referring to the document titled 'Design and Access Statement For Changes To Layout And House Types' prepared by Ashley Design October 2019.

1. We are aware that the original LBH Wembley contamination report showed considerable levels of contamination in the soil at the site. We are aware that no soil has left the site and that this contaminated soil has been incorporated into the spoil heap on the northern site. If this soil is to be used to enhance levels within the northern area (point 3.7) what action has been taken or is proposed to either remove this soil or make it safe for domestic dwellings?
2. In point 3.1 it is stated that the design is aimed to reflect the original mill appearance. The photograph attached to this report clearly illustrates that the proposed buildings are far from representing the original ones in appearance, size and indeed height. When this development was originally planned there were designs shown to residents of what was to be built in our village. We were shown thatched roofed buildings and greenstone faced buildings, but so far we have buildings coated in yellow render which has already had to be repainted due to severe discolouring, bright red tiled roofs and with regard to use of greensand stone in construction, apart from the odd corner stone and retaining wall no house looks remotely like the originals. We would like to express concern to the height that the buildings are constructed and in point 3.4 reference is made to that **“Building forms remain. Ridge, heights. Massing, expression and materials being retained as approved”** this does not seem to be the case and indeed point 3.7 appears to contradict point 3.4 which states that **“Enhancing levels within the northern area site will avoid removing material from site whilst at the same time raising rear garden levels”**. The current spoil heap height must be in excess of 3 metres. Are we therefore to believe that garden and therefore corresponding property floor levels will be raised to this height? We would also like to ask why the site is to be raised to help the contractor to use the contaminated spoil in the site rather than remove it as good practice would dictate.

3. Increasing the property numbers whilst not increasing bedroom capacity will indeed increase the number dwellings and therefore the number of vehicles and their movements.

Planning Application 2-2019-1529-FUL – proposal for 20 houses at Bourton Mill

### **Louise Shepherd & Jeremy Watts - objection**

I have monitored the site closely and am concerned with numerous inconsistencies in reports; especially reliance on unverified information provided by the Developer and DC Planners acceptance of 'self-certification'

The LBH Wembley remediation statement identified high levels of contamination. A FOI request advised **no soil** has left the site, yet recent testing declared **NO** unsafe levels of contamination found. Where has the original contamination gone, it must be somewhere?

The Planning Application proposes to reuse stockpiled soils known as the 'spoil heap'.

Do the planning committee members appreciate the volume of the 'spoil heap'? Estimated to be more than 30,000 cubic meters, how can this volume of soil be retained without raising the ground levels of dwellings? Para 3.4 and 3.7 of The Design and Access Statement are at odds. Para 3.7 indicates raising rear gardens only to avoid removing the spoil heap from site but how can the volume of the 'spoil heap' raise rear gardens without raising the dwellings (as detailed in 3.4), there is simply too much 'spoil heap' to distribute and would be impossible to do without raising the site levels.

There are no cross-sectional drawings in the application containing street scenes which provide an indication of how the houses will appear visually from street level.

The properties already built are significantly higher than expected because the original drawings did not demonstrate the height in relation to street level.

Plots 25 and 26 currently under construction are built on top of a retaining wall over 10 feet high from street level. This is visually overbearing and not in keeping with any other properties in the village; this is contrary to Bourton Neighbourhood Plan Policy 3 (c) "*All alterations or new development shall complement the character and appearance of surrounding properties in terms of height, scale and density*". This dominant feature is visually unattractive and imposing.

I appreciate this has already had planning permission; my point is, street views should be available for scrutiny to ensure the properties to which

this application relates, do not hold any surprises in terms of height in relation to street level.

The original application proposed was for 16 x 4 bed houses encouraging families into Bourton, using the local amenities, and contributing to the community.

The new application proposes to replace these with 10 x 2 bed and 10 x 3 bed.

2 bed houses would more likely attract buy to let buyers not providing affordable homes but higher rentals.

The number of vehicles will be increased with more properties and is likely to lead to congested parking.

### **Bourton Parish Council statement to Dorset Council's Northern Area Planning Committee - Planning Application 2/2019/1529, Bourton Mill**

- 1. Contrary to assertions in the officer's report Bourton Parish Council has repeatedly raised pertinent planning considerations and reiterates its OBJECTION to this application because:**
  - a. The material submitted with the application is deficient, for the following reasons:
    - i. It fails to make it clear that the application proposes the retention of the large stockpile of unregulated contaminated waste material upon which the new houses would be constructed and gardens sited.
    - ii. The developer has failed to comply with the requirements stipulated by the environmental consultants, LBH Wembley, notably the placement of a geo-membrane underneath the stockpile.
    - iii. There are no street scenes, perspectives or sections to show the relationship of the proposed dwellings to existing homes and features.
    - iv. There is no level information relating to the western access road.
  - b. The perceived relationship of the proposed new dwellings to homes already built, the dam and the wider environment is unacceptable. Building 20 dwellings on the 4m high retained stockpile would result in them being overbearing and out of keeping with the surrounding landscape.
  - c. The absence of a firm proposal for the safe disposal of surplus construction waste from the site is unacceptable.
  - d. The lack of an independent monitoring and certification process to ensure compliant delivery of the necessary remediation poses risk to future occupants of the proposed dwellings and potential liability issues for Dorset Council.
- 2. BPC also OBJECTS on the ground of prematurity due to the failure of Dorset Council to consult BPC on the drafting of the Section 106 Agreement, to include provision for:**
  - a. A genuine third-party monitoring arrangement that prohibits dependence on self-certification by the developer and/or contractor. An example of the risks associated with this process relates to the recent removal of

- contaminated soil from the gardens of Nos. 2, 4 & 6 Factory Hill, 2-3 years after commencement of occupation by their new owners.
- b. Removal of contaminated waste prior to the commencement of any construction works above floor slab level.
  - c. There are numerous outstanding issues relating to the existing S.106 which have yet to be resolved; these should be carried forward into the new S.106 agreement.
  - d. Early completion of the consented works to the extended Public Open Space including those to form the LAP (as shown on the approved landscape plans) and timely payment of an increased commuted sum to cover future maintenance costs of the enlarged area.
  - e. Remediation and certification of the extended POS.
3. From its experience of the execution of works including the obvious breaches of the remediation strategy, BPC believes that a performance-related bank bond linked to an all-embracing Section 106 is essential to ensure full compliance with all obligations by the developer.

#### **Item 5d - P/PAOD/2021/02481- South Walks House, Dorchester**

##### **Keith Miller – against the application**

I write as someone opposed to the above plan. My view is that the original idea to build a substantive modern council office block plus library on what was originally deemed a car park that enabled those who live in the surrounding country areas to park their vehicles when visiting the town for shopping etc, was very wrong indeed. Today this error looks even worse given the rapidly growing population within the region that Dorchester town centre serves. To then abandon this same building so soon after it was built and propose that the building be converted to living accommodation makes the matter even worse.

In pre-Covid times parking in the summer months when the tourists were at their peak was becoming difficult. Now that the worst of the pandemic is over and the UK economy is on the road to recovery, pretty soon we are going to see a real surge in demand for retail activity in Dorchester again. At the moment it does not seem like it as the loss of a number of shops in the town centre has had a negative impact on retail activity. Having said this there are signs of recovery. When looking ahead over the next few years, Dorchester would benefit from some substantive modern retail outlets and with this in mind, I do think the Council need to think about what can be done with South Walks House that will help lead to the return of the likes of Marks and Spencer and maybe attract others such as Primark. Also, there needs to be some consideration for

additional parking too as popular larger retail outlets will eventually lead to more vehicles arriving in Dorchester.

In summary I hope the Council Planners will consider a plan for South Walks House that will benefit the majority and not just the few. I therefore would prefer South Walks House be sold to a developer who can create a building/structure that serves residents of the town and the region as a whole.

### **Statement from Dorchester Town Council**

‘We welcome the application in principle as long as the building can be made suitable for use by the future residents with regard in particular to ventilation, living space and access to outdoor recreation. We trust that the existing energy saving measures in and on the building will continue to be fully utilised for the benefit of future residents.

We expect the application to be subject to existing Local Plan policy HOUS1 to provide at least 35% affordable housing, a minimum of 15 units.’

With kind regards

### **Written Statement from Chris Geddes of Albion Planning (Applicants’ Agent) - Support**

The proposal falls within the scope of permitted development, as defined in Part 3 Class O of Schedule 2 of the GPDO.

Development under Part 3 Class O is permitted on condition that the developer must apply for a determination as to whether the prior approval of the authority will be required in respect of a number of very limited matters:

In this regard, it has been demonstrated that:

Transport and highways impacts – The proposal does not present a material harm to the transport network or to highway safety. Reflecting this your Transport Development Liaison Engineer has not raised any objection, subject to the imposition of a condition requiring the parking spaces, accessways and service areas to be maintained for the purposes indicated.

Contamination risks – A detailed remediation scheme was implemented when South Walks House was constructed. As a result, any residual risks can be adequately addressed by the imposition of a condition addressing the management of any unexpected contamination encountered in the unlikely event that any ground breaking is required.

Flooding risks - The site is located within Flood Zone 1 (low risk). It is not within a Critical Drainage Area and is not considered to be at elevated risk of either surface or ground water flooding. As a result, the proposal would not result in a material increase in flood risk.

Impacts of noise from commercial premises on the intended occupiers – The site is located within a mixed used area accommodating a range of commercial and residential properties. The commercial uses accommodated in nearby buildings are such that they are compatible with the proposed residential use and mitigation is not deemed necessary.

The provision of adequate natural light in all habitable rooms – The submitted floor plans demonstrate that all of the proposed habitable rooms would receive adequate levels of natural light. Whilst limited external alterations will be required to a number of the proposed apartments, they would not materially affect the external appearance of the buildings and, as a result, they would not comprise development.

In addition to the above, all of the proposed apartments would comply with the nationally described space standards.

As a result of the above, your Officers have concluded that no further information is required to secure a satisfactory level of compliance with the provisions of national planning policy and that, as such, approval should be granted, subject to conditions.

I would, therefore, urge the Committee to accept the recommendation as set out in the Officer's Report.

This will allow the change of use to proceed and make a valuable contribution to your Council's 5- year housing land supply, which is currently in deficit.

**Item 5d - WD/D/20/003145 - 17 All Saints Road, Dorchester**

**No reps**